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7                   UNITED STATES DISTRICT COURT  
8                   WESTERN DISTRICT OF WASHINGTON  
9                   AT TACOMA

10                  EUGENE WGEISHOFSKI,

11                  Plaintiff,

12                  v.

13                  JOSEPH LEHMAN,

14                  Defendant.

15                  Case No. C05-5368RBL

16                  ORDER DENYING  
17                  APPLICATION TO PROCEED *IN FORMA PAUPERIS*

18                  The Court, having reviewed the report and recommendation, plaintiff's application to proceed *in*  
19                  *forma pauperis* and the remaining record, hereby finds and ORDERS:

20                  (1) the Magistrate Judge's report and recommendation is approved and adopted;

21                  (2) plaintiff's application to proceed *in forma pauperis* is DENIED.

22                  (3) plaintiff shall pay the required filing fee (\$250.00) to the Clerk of the Court within 30 days of  
23                  the date of this Order, otherwise this action will be dismissed.

24                  (4) the Clerk is directed to send copies of this Order to plaintiff and any other party that has  
25                  appeared in this action.

26                  DATED this 11<sup>th</sup> day of July, 2005.

27                    
RONALD B. LEIGHTON  
UNITED STATES DISTRICT JUDGE